

## REMARKS

### **Summary of the Office Action**

An Election has been requested among the following six species:

<b>SPECIES</b>	<b>REPRESENTATIVE FIGURES OF SPECIES</b>
Species I	FIG. 2
Species II	FIG. 5
Species III	FIG. 7
Species IV	FIG. 8
Species V	FIG. 9

### **Election of Species**

Applicant hereby elects Species II, corresponding to FIG. 5, which is readable on claims 1-4, 6-18, and 20-77. This election is made with traverse, for the reasons detailed in the following section.

### **Traverse**

#### *A. First Ground for Traverse*

The Election Requirement is respectfully traversed because it has not been established that examining all claims in the application would constitute an undue burden, considering that all claims have already been examined.

In the Office Action dated March 15, 2007, all claims pending in the application had been rejected under the judicially created doctrine of double patenting in view of U.S. Patent Nos. 6,602,285 and 6,682,554. Therefore, all claims in the application had already been examined prior to the Office Action dated November 16, 2007, and no undue burden can be present for the Examiner to continue examination of all pending claims.

Further, in the Office Action dated March 15, 2007, the Examiner had advised that the double patenting rejection could be overcome by filing appropriate terminal disclaimers. Such terminal disclaimers were timely filed on June 15, 2007. Should the Examiner believe that the double patenting rejection is no longer applicable and the claims in the application should be further examined, Applicants hereby withdraw the terminal disclaimers in the application. Conversely, should the Examiner believe it appropriate to withdraw the Election Requirement, Applicants confirm the terminal disclaimers and respectfully request that a notice of allowance be issued for this application.

*B. Second Ground for Traverse*

The Election Requirement is also respectfully traversed because it has not been established that examining all claims in the application would constitute an undue burden, considering that all claims except two are readable on the elected species.

For example, non-elected Species III (corresponding to FIG. 7) relates to stents having different material thicknesses in different portions of the stent. No claims are specifically directed to this feature.

Non-elected Species V (corresponding to FIG. 9) relates to stents, in which the H-shaped transition section has a narrower portion. No claims are specifically directed to this feature.

Non-elected Species VI (corresponding to FIG. 10) relates to a method of use. No claims are specifically directed to methods of use.

**Conclusion**

Based on the foregoing, the withdrawal of the Election Requirement and a Notice of Allowance for all pending claims is respectfully requested. The petition fee for a one-month extension is enclosed herewith. If necessary, the Commissioner is hereby authorized in this and concurrent replies to charge payment (or credit any overpayment) of any additional required fees to Deposit Account No. 50-2298.

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Respectfully submitted,

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